

#36
8/14/03PATENT
Customer No. 22,852
Attorney Docket No. 9210.8050-00**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Application of:

Burton G. CHRISTENSEN, et al.

Application No.: 09/457,926

Appeal No.: 2003-1717

Filed: December 8, 1999

For: NOVEL ANTIBACTERIAL AGENTS

Group Art Unit: 1627

Examiner: M. Garcia Baker

BOARD OF PATENT
APPEALS &
INTERFERENCES

JUL 21 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Notice of Reopening of Prosecution

This letter is being furnished to the Board to apprise them that Appellants in this case have filed a Request for Continued Examination in order to re-open prosecution. Please find enclosed a copy of the RCE Request and a copy of the stamped and dated postcard, indicating that the RCE was filed on July 15, 2003.

Appellants respectfully request that the Board dismiss the pending appeal in this case and expedite a transfer of the file and its contents back to Technology Center

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

1600, Group Art Unit 1627, and Examiner M. Garcia Baker. Appellants greatly appreciate any efforts the Board can make in expediting the transfer process.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: July 21, 2003

By: 

Jeffrey H. Tidwell
Reg. No. 47,995

Post Office Address (to which
correspondence is to be sent)

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, D.C. 20005
(202) 408-4000

FINNEGAN
HENDERSON
FARABOW
GARRETT &
DUNNER LLP

1300 I Street, NW
Washington, DC 20005
202.408.4000
Fax 202.408.4400
www.finnegan.com

BOARD OF PATENT
APPEALS &
INTERFERENCES

JUL 21 2003

PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:

In Re Application of: Burton G. CHRISTENSEN, et al.

Application No.: 09/457,926

Group Art Unit: 1627

Filed: December 8, 1999

Examiner: M. Garcia Baker

For: NOVEL ANTIBACTERIAL AGENTS

-
1. Executed Associate Power of Attorney (1 pg.)
 2. Request for Continued Examination (1 pg.)
 3. Submission Under 37 C.F.R. § 1.114
(57 total pages, including 21 pages in Appendices A, B and C)
 4. Appendices:
 - A. *Physicians' Desk Reference*, 53rd Edition, 1999 (9 pgs.)
 - B. *Stedman's Medical Dictionary*, 26th Edition, 1995 (5 pgs.)
 - C. "The Rise of Antibiotic-Resistant Infections," by Ricki Lewis, Ph.D.,
FDA Consumer Magazine (Sept. 1995) (7 pgs.)



Dated: July 15, 2003

Docket No.: 9210.8050-00

(Due Date: N/A)

AMS/JHT:srp - Mail Drop 670

JHT

LAW OFFICES
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.
 1300 I Street, N.W.
 Washington, DC 20005

Telephone
 (202) 408-4000

Facsimile
 (202) 408-4400

FACSIMILE TRANSMITTAL

To: Board of Patent Appeals and Interferences
 Firm: USPTO (Group Art Unit: 1627)
 Fax No.: (703) 308-7952 Phone No.: (703) 308-9797
Application No. 09/457,926
Appeal No. 2003-1717
 Subject: Atty. Doc. 9210.8050-00 Date: July 21, 2003

BOARD OF PATENT
APPEALS &
INTERFERENCES

JUL 21 2003

From: Jeffrey H. Tidwell Phone No.: 202-408-4214
 Fax # Verified by: (202) 408-4400 No. of Pages (incl. this page) 6
S. Perlie - MD 670

Confirmation Copy to Follow: No


BOARD OF PATENT
APPEALS &
INTERFERENCES

JUL 2 2003

Message:

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R § 1.8

I hereby certify that the attached papers, (1) Notice of Reopening of Prosecution, (2) copy of date stamped postcard, (3) a copy of an Associate Power of Attorney, and (4) a copy of the RCE transmittal sheet are being transmitted by facsimile to the U.S. Patent and Trademark Office on the above-identified date.


 Jeffrey H. Tidwell
 Reg. No. 47,995

JHT/srp

If there is a problem with this transmission, notify fax room at (202) 408-4174 or the sender at the number above.

This facsimile is intended only for the individual to whom it is addressed and may contain information that is privileged, confidential, or exempt from disclosure under applicable law. If you have received this facsimile in error, please notify the sender immediately by telephone (collect), and return the original message by first-class mail to the above address.